For New York and Its Vicinity:

Fair; westerly winds and cooler.

#### VOL. LXIII.-NO. 77.

"IF YOU SEE IT IN

CONSTITUTIONALITY OF THE LAWS ATTACKED ON MANY GROUNDS.

to the General Term en the Motton to Appoint Commissioners, Falling Conscuts from Property Owners-The Act of 1895 a Local Bill Forbidden by the New Constitution, and the Acts of 1891 and 1894 Under the Same Ban - Debt Limit Execeded Other Extraordinary Provisions

the application of the Board of Rapid Transit Ratiroad Commissioners for the appointment of three Commissioners to determine and re por', after due hearing, whether the Rapid ausit Railroad ought to be constructed and operated, came on to be heard before the General Term of the Supreme Court, consisting of Presiding Justice Van Brunt and Judges Fellett and O'Brien.

Messrs. Edward M. Shepard and Albert B. Beardman appeared for the Rapid Transit Railroad Commissioners. Congressman Franklin Bartlett appeared, in opposition to the motion, for THE SUN Printing and Publishing Association as owner of certain premises on Park Row and for Franklin Bartlett as trustee under the will of Heary Mason, deceased, and Mason Carnes, the owners of the buildings 602 and 604 Broadway, Mr. George Zabriskie appeared for Austin Corbin, Henry Hil-

Mr. Shepard, after a few preliminary re-marks explaining the proceedings of the Commissioners, in which he stated that in May last the Board had decided on the route for the read, and had obtained the approval of the Mayor, the Common Council, the Park Board. and the Commissioner of Street Improvements of the Twenty-third and Twenty-fourth wards. but that the majority of the property owners had refused to consent to the building of the road, moved that the Commissioners be ap-

upon which they never voted, the sale of the franchise.

"And while the power to incur debt or to subscribe for stock can delegated by the Legislature to a city, or other municipal corporation, whenever it is evident that the Legislature really intended to propose a law to the electrors to be allowed or disallowed by them at their option, then the entire scheme falls within the constitutional inhibition as being an attempt to delegate the legislative power. If the act of 1894 had merely referred to the people the question whether the public moneys should be invested in the road or not, the act might have been constitutional in so far as this objection is concerned, but the fatal fault lies in the fact that the Legislature by express words made not only the building of the road, but the sale of the franchise, as provided for in sections 7 and 34 of the act, the two life-giving provisions of the law, dependent solely and entirely upon the vote of the people, or, in other words, the qualified electors of this city.

"For these constitutional reasons, which I have thus briefly stated, and upon which I desire either now or hereafter to make a more extended argument. I claim that the whole rapid transit scheme is unconstitutional, and is, therefore, fatally defective."

Presiding Justice Van Brunt stated that an erty owners affected by the proceedings. Presiding Justice Van Brunt directed the stenographer to note the appearances of the various lawyers and asked Mr. Bartlett to state the nature of his objections. Congressman Bartlett then said:

"I object to the appointment now asked of three Commissioners for certain constitutional

"First-On the ground that chapter 519 of the Laws of 1895, the latest Rapid Transit act. a unconstitutional and void as being in contra vention of section 18 of Article III. of the new on, which provides that 'the Legis lature shall not pass a private or local bill in any of the following cases: Granting to any corporation, association, or individual the right to lay down railroad tracks. Granting to any private corporation, association, or individual any special privilege, immunity, or franchis

any special privilege, immunity, or franchise whatever.

"Read this provision of the Constitution in connection with the second section of Article XII. of the new Constitution, which classifies the cities of the State into three classes, the first class including all cities having a population of 250,000 and less than 250,000, and the third class all cities having a population of 50,000 and less than 250,000, and the third class all other cities; and which provides further that 'laws relating to the property, affairs of government of cities, and the several departments thereof, are divided into general and special city laws. General city laws are those which relate to all the cities of one or more classes; special city laws. General city laws are those which relate to a single city, or to be than all the cities of a class, and it is then clear that the Rapid Transit act of 1895 is a local bill or act. It is clearly a special city law, as it relates to less than all the cities of the largest class, those containing 250,000 inhabitants, and a special city law is a local act, and the Rapid Transit act was, therefore, passed in violation of the inhibition of the Constitution contained in the eighteenth section of the third article.

"Whatever may be said as to the ruling of the

than all fear that the fear the fea

Dossible to proceed under the Laws of 1891 and 1894 without invoking the aid of the amendatory act of 1895.

"My second ground of objection is that the act of 1895 as well as the act of 1894 are unconstitutional and void, because they exceed the limit of debt prescribed in section 10 of Article VIII. of the new Constitution, which declares that no county or city shall be allowed to become indebted for any purpose or in any manner to an amount which, including existing indebtedness, shall exceed ten per centum of the assessed valuation of the real estate of such county or city subject to taxation, and that all indebtedness in excess of such limitation, except such as may now exist, shall be absolutely void.

"There will be no difficulty in our proving the facts under this claim, either by affidavit procured from the Comptroller of the city, or by a statement of fact agreed to by Messrs. Shepard and Boardman and me. The \$55,000,000 for construction appropriated in the act of 1805, together with all the other expenses, and the damages awarded for lands and property taken, aside from the illimitable liability for accidents or for negligence, will swell the total indebtedness to far beyond the constitutional limitation.

"Third—I claim that the rapid transit acts

In the old Constitution and retained in the new Constitution, that no county or city shall hereafter give any money or property or loan its money or credit to or in aid of any individual, association, or corporation, or be allowed to incur any indebtadness except for county or city purposes.

"The city of New York, pursuant to this scheme, gives money and loans credit in aid of individuals or an association or a corporation, and incurs indebtedness for a purpose which is not a county or city nurpose, namely, the build-

The city of Messacraph and beans credit in aid of individuals or an association or a corporation, and incurs indebtedness for a purpose which is not a county or city purpose, namely, the building and running of a railroad.

It is a safegrardae as to the exercise of the field of eminent domain are violated in that not due process of law is provided, and that no certain compensation is allowed for the lands or particularly the control of the control of the lands or particularly the control of the lands or particularly the control of the lands of the control of the lands of

NEW YORK, SATURDAY, NOVEMBER 16, 1895 .- COPYRIGHT, 1895, BY THE SUN PRINTING AND PUBLISHING ASSOCIATION.

HUNDREDS OF ELECTRIC ARC LIGHTS OUT LAST NIGHT.

This Gloom Was Caused by an Explosion in the Brush Company's Power House in Elizabeth Street - The Escaping Steam Destroyed the Belting Connect-

There was an explosion in the power house of the Brush Electric Light Company in Edzabeth street yesterday morning which did damage which it will take more than \$3,000 to repair. As a result, many of the streets below Fiftyninth street which are served by the Brush Company were dark last night,

The company succeeded in resuming one-third of their service about half-past 8 o'clock, and later in the night they got another one-sixth of it going, but one-half of their circuits were out of service the whole night. The repairs will be completed this morning and all the circuits

It was just after the watches had shifted and the day men had gone on duty that the accident happened. There were three men in the engine n, the engineer and his two assistants. There are five big single engines and a double one in the engine room, which is in the basement on the north side of the building. These engines take steam from an eight-inch main, which leads through the wall separating the engine room from the bollers, which are in the south

tremendous explosion in the engine room which shook the whole power house. Instantly the engine room filled with steam. The engineer and his assistants saw that the big eight-inch main had given way, and they ran for the door which leads to the boiler room, but before they could get out the steam was so thick that one of them was slightly burned on the right wrist. It was not at all a serious burn, however, and as coon as it was bandaged up he went to work with the others at the repairs.

Once through into the boiler room they made short work of shutting off the steam at the main. But before they got that done the steam had worked up through the elevator shaft and filled the upper stories. The men at work in the dynamo rooms had heard the noise of the explosion, and when they saw the steam they ran to the windows. But the steam was so quickly stories after the first rush of it, and the men soon saw that there was no danger.

that his company would be unable to serve its circuits last night, except perhaps in part.

The Public Works Department notified the Police Department, and in the afternoon Acting Chief Coulin summoned to Headquarters the commanders of all the precincts below Fifty-ninth street. He explained the accident to them, and warned them to be particularly watchful of the dark streets. He gave them this list of streets served by the Brush Company:

Sixth avenue Twenty-sixth, Thirty fifth, Twenty fourth, Madison square Avenue H, Bond, Battery place, Beekman, Cortlandt Cortlands. City Hall Park, Fast Broadway, Franklin.

Then Acting Chief Coulin gave the Captains this general order: this general order:
In consequence of the absence of the usual electric lights, you will instruct the members of your commands performing duty in any of these streets, if within your precincts, to be extra ugilant-during the night tours of duty. You will also flattruct your sergeants and roundsmen, when visiting the men on post, to see that they are strictly attending to their duty. Also take such other measures as may be necessary to provide ample protection to life and property. the morning she spoke to Mrs. Godfrey, the land-

necessary to provide ample protection to life and property.

This order was read to the men of all the stations below Fifty-ninth street when they went out at 6 o'clock and again at midnight. It was not an unwise precaution, for some of the down-town streets were as dark as a pocket. In some of the streets below City Hall square the old gas lamps which had been in use before electricity was put in had been dismantled by the companies which used to serve them, and as a result the streets were in absolute darkness. In the big office buildings down there, there are no lights on the ground floors, as in most of the stores further up town, and although it was a cloudless night there was no moon, and the stars can't do much toward lighting up streets shut in by such tall buildings.

When the Brush Company got part of its plant working again about 8 o'clock, there was a little relief, but most of it was in streets where gas lamps are also kept going. The streets on the extreme east side are lighted by the East River Electric Light Company, and those along the North River are lighted by the Mount Morris Company, and they were as bright as usual.

The service of the Brush Company is divided not circuits of thirty-five and seventy lights.

Interesting to Printers, Stationers, Lithog raphers, and Bookbluders.

In the columns of the "City Record" are

WHITNEYNOTACANDIDATE

HE SAYS SO FLATLY, AND THIS TIME FOR PUBLICATION.

Never Has Been a Candidate for the Demo eratic Nomination for the Presidency-Thinks the Convention Should Be Held Here- A Bond Issue Story Disposed Of,

night for the first time for publication concerning the constant reports as to his alleged candi-dacy for the Democratic nomination for President next year. For six months and more these reports have popped up all over the United States. A Sun reporter handed Mr. Whitney last night at his home, 2 West Fifty-seventh street, the following clipping from a Wall street afternoon paper:

Philadelphia Special—I have just seen a close personal friend of William C. Whitney, who was with him this week, and, while not allowed to use his name, he gives me permission to authoritatively deny that Mr. Whitney will consent to become the Democratic candidate for President. He says: "Mr. Whit

each served by a dynamo. These circuits are not arranged in any regular order, so that when the company got part of its plant working last night the result was spotted, so far as the city was concerned. Parts of streets served by them were in total darkness, and other parts of the same street were as light as seand. In Eighth avenue below Houston street the lights were all going after 8 o'clock. Above Houston street there were no lights, Seventh arenue had light above Forty-fifth street, and between Twenty-third and Forty-fifth street the lamps burned from 8 o'clock until 10:13, then they went out again. The new belt on the engine running these dynamos slipped and the engine had to be stopped.

Broadway was dark up to Fourteenth street. From Fourteenth street to Thirty-fourth street the lamps on the east side were all right. Above Thirty-fourth street Hoad way was dark except for the arc lights in stores. In Bleccker street there were three lights, at Elizabeth, Mott, and Mulberry streets. The light at Hiecker and the Bowery was dark.

In Madison and Union squares the light was turned on at 8 o'clock, but went out again at 10:45. Twenty-third and Twenty-fourth streets, from Third to Fourth avenue, were lighted, but the rest of them was dark. Sixth avenue above Thirty-fourth street had light after 8 o'clock; below Thirty-fourth street it was dark.

Forty-second street was as black as a lat except for the lights of the Grand Central Station. Thirty-fourth and Fourteenth streets were also dark. Fifth avenue is lighted by the Edison Company, and the lamps were all burning as usual.

Besides the city's lights, the Brush Company serve about 1,500 private lights. These are almost all in front of stores. All are below Fifty-ninth street. Early in the day the company notified its customers of the accident, so as to give them time to get their gas burners in shape. Superintendent Wright said last night that be would be prepared to give the full service again to-night. "That's true," replied Mr. Whitney after he had read the slip. "I have told you this half a dozen times in private conversation. I have considered it rather indelicate to speak on the subject for publication, but now that this report would be prepared to give the full service again to-night.

The accident was the worst that has ever happened at that station. It is the first time the electric lights have not burned in lower New York since Mayor Grant cut down the poles more than five years ago in order to make the companies put their wires under ground. has come so close home there is no harm if I confirm it. I am not a candidate for the nom! nation, and I must not be considered a candiwill misunderstand me in this matter, and they will know that I am not undertaking to refuse something that has not been offered to me. I merely say that I am not a candidate and that I must not be considered a candidate; that my business affairs are engaging all my time and attention. I am not so ungracious as not to appreciate the great kindness and honor that ha been shown to me in this matter, but I am not a candidate and have not been a candidate." Supreme Court in Brooklyn, and resulted in a

FORCIBLE VACCINATION REBUKED.

A Brooklyn Heelth Official Mulcted in \$1,500 for Practising It.

The suit of Emil Schafer against Dr. Henry L.

Schelling for \$10,000 damages for alleged as-

sault was tried yesterday before a jury in the

verdict of \$1,500 for the plaintiff. The suit was

the outcome of the compulsory vaccination cru-

sade by the health authorities in Brooklyn in

the spring of 1894. On April 27 in that year,

while Schafer was sick at his home, 241 Suydam

street, Dr. Schelling and another special vac-cinator in the Health Department called and in-

sisted on vaccinating him, using, as he alleged,

In describing the scene to the jury yesterday

the plaintiff said that he told the doctors he was

suffering from a tumor on the brain and feared

that the vaccination would endanger his re-

covery. Dr. Schelling, however, compelled him

to submit to the operation, remarking, "You

shall be vaccinated if I die for it." The plaintiff

said that when the incision was made in his

arm the blood spurted out and he very nearly

hied to death. The consequence was that he was confined to his house for several months.

Dr. Schelling awore that he used only persua-

sion and argument, and that he could not dis-

cover that Schafer was suffering from any brain

The jury supplemented the verdict by pro-

nouncing the defendant guilty of assault and

HANNIGAN'S FATHER DYING.

More Misfortune is the Family of Solome

H. Mann's Slayer.

was called as an expert by the defence. He de-

clared that Hannigan was insane when he ex-

amined him in the Tombs. In answer to the

hypothetical question put by the defence, he said that in his opinion Hannigan was insane at

the time of the shooting. On cross-exam-

ination he was asked if he could tell by examin-

let him answer. He said that Hannigan's man-ner was that of a person ordinarily considered sane. He did not learn anything of his mental condition, and the defence did not cross-examine him. The trial was adjourned until Tuesday.

NORTH RIVER BRIDGE TERMINAL

Sinking Fund Commission Pavors West

Fifty-ninth Street.

The Sinking Fund Commission is to hold next

Wednesday a public hearing on the location of

the New York terminal of the New York and

It was decided to call on the Tax Commission-ers for copies of their assessment rolls to use at the public meeting on Wednesday.

KILLED BY HIS OWN CAR.

A Passing Priest Administered the Last

Rites to the Dying Driver.

While driving his car up-town, between Twenty-third and Twenty-fourth streets, yes-

terday afternoon, Edward Debois, an employee

of the Second avenue surface road was seized

with a fit and fell headlong over the dashboard.

MUST ENFORCE THE SUNDAY LAW. Coulin Also Tells the Police to Have Ashes and Garbage Separated,

All the Captains and precinct commanders

were summoned to Police Headquarters yester-day afternoon by Acting Chief Conlin. They

assembled in the Chief's office, where Mr. Con-

in talked to them on several matters pertaining to police business. Commissioner Parker was present, and also had something to say to them. The enforcement of the Excise law on Sunday was especially dwelt upon.

Acting Chief Coulin also called attention to complaints from the Street Cleaning Department that householders were putting out ashes and garbage in the same receptacles. He said the police must see to it that separate receptacles were used. The littering of the streets with paper must also be prevented.

Gazoos Start an Excise Law Petition.

The Gazoos are preparing a petition to the

Legislature urging liberal Sunday and excise

legislation. Every man, whether he is a Gazoo

or a Garoo, or nothing ending in so at all, car

At the Eussian Baths, Lafayette Place. You will find the only establishment in the world where you can eat, drink, sleep, bathe, in the most approved style and all under one roof. - 4dts.

health officials are likely to follow

to finish his testimony.

Several other similar suits against

force and threats.

trouble.

Mr. Whitney believes that the Democratic National Convention next year should be held in New York city. He said that Madison Square Garden would be a great place for the Convention. He spoke of the fine hotel accommodations, and he recalled the fact that the Democrats have not had a national Convention here since the one in 1868, which was held in the then new Tammany Hall. The Hon. William F. Harrity, Chairman of the National Democratic Committee, and other important Democrats favor New York city. The Democratic National Committee will probably meet in Washington in December to fix a time and

A report in financial circles yesterday was to the effect that Secretary Carlisle had been in correspondence with the New York banks concerning a proposition to the effect that when the gold reserve, if it should do so, drops to \$75,000,000 the New York banks should step in and supply \$25,000,000 in gold, and receive for the same a 4 per cent, bond on a 3 per cent basis. Insamuch as it was known that President Cleveland, while in New York, discussed the financial situation with Mr. Whitney, the foregoing report was submitted to Mr. Whitney for his views

ney; "nothing, I am sure. At least I have not heard of any such proposition."

10M JOHNSON'S FRANK.

Hannigan in the latter's trial before Justice Ingrabam in the Over and Terminer, for the kill-ing of Solomon H. Mann, informed the court DETROIT, Nov. 15 .- When asked to-day about the Washington despatch to THE NEW YORK SUN yesterday that Willian Hannigan, father of the defendant, was dying and could not be recalled about the misuse of his frank ex-Congressman Tom Johnson said: Dr. George W. Jacoby of 663 Madison avenue "Of course some one may have stolen my

stamp or may have had one made, or my clerk may have let some one use it. A stamp costs only 25 cents. While I am not a member of the present Congress, my frank is good until Congress meets. It is easy to get up a story of that kind, which would look bad to those who do not understand the question of public documents and the franking privilege."

ing the defendant for one hour whether he was feigning or not. He replied affirmatively.

The defence rested, and Dr. Austin Flint was called as an expert in rebuttal by the prosecution. He said that Hannigan refused to submit to an examination when he called at the Tombs, but gave intelligent answers to his questions. He testified as to the effect of alcoholism in relation of melanghelia and there was streament. those agricultural reports. A Missouri Congressman, Williams, he thought, asked him for his quota of agricultural documents, and as he had a lot of documents which would interest Johnson's Cleveland constituents, their clerks got together and made a trade, which is common practice. The Agricultural Bepartment books which he traded to the Missouri Congressman have the right to be franked, and it did not matter whether he wrote his name on the envelopes, used a stamp, or let his clerk or some one else use a stamp. It was all the same.

Mr. Johnson said he had known Congressmen to sell their documents rather than trade them off to other Congressmen for literature that can be distributed to good advantage. This he considered dishonorable, but he thought the system of trading all right. Mr. Johnson said that he had "Protection and Free Trade" printed as speeches in the Congressional Record and sent out 1,700,000 copies in book form under his frank. He worked it knowing the system to be wrong, but he had taken advantage of the wrong to do what he thought would be a good.

Every speech he made in Congress was as his quota of agricultural documents, and as he but gave intelligent answers to his questions. He testified as to the effect of alcoholism in relation to melancholia, and there was strenuous objection from the defence, as it was evident that the prosecution was endeavoring to prove that Hannigan's condition was brought about by drink.

Dr. Flint said that in his opinion Hannigan was sane when he shot Mann. Dr. Allen Fitch, called by the prosecution, said he had examined Hannigan for the District Attorney. He asked Hannigan questions Dr. O'Sullivan would not let him answer. He said that Hannigan's manner was that of a person ordinarily considered

good.

Every speech he made in Congress was as much of a single tax essay as he could make it, and he had sent out more than 3,000,000 of these speeches through the mail under his frank.

CONGRESS MAY TAKE THE LEAD. in his private office to discuss the matter. The Bridge Commission wants the location at Sixty-It Will Have the Opportunity to Affrm the allows. The Sinking Fund Commission favors Fifty-ninth street, the farthest south the law allows, on the ground that the depreciation of property values will be less in the lower loca-tion. ninth street, the farthest point north the law Monroe Doctrine and Annex Hawall.

WASHINGTON, Nov. 15.- From hints thrown out by the leaders of both political parties it is inferred that two important joint resolutions will be offered immediately after the assembling of the Fifty-fourth Congress. The first will be an affirmation of the Monroe dectrine, expressing in plain and vigorous language the sympa thy of the American people with the Govern ment of Venezuela in its boundary dispute with

prepared with much care, provides for the an-nexation of the Hawaiian Islands to the United nexation of the Hawaiian Islands to the United States under a territorial form of government. The case of Texas is referred to as furnishing a precedent, Texas having been annexed and admitted as a State by joint resolutions of Congress. It is not the purpose of the Hawaiian people to ask for admission as a sovereign State. They will be satisfied, it is said, to remain under a territorial form of government. What they want is protection against the aggressions of other countries and that sense of security and personal satisfaction which would result from becoming a part of the great North American republic. Annexation would also, it is claimed, add greatly to their material prosperity and aid largely in the development of the islands. The wheels of the car passed over his body and he was fatally injured.

A Roman Catholic priest, who was passing by, administered the last rites of the Church to Debois. He died a few minutes later, and his body was removed to the undertaking rooms at 413 Second avenue.

SLATE FOR ALBANY.

These Are Likely to Be the Officers of the lin talked to them on several matters pertaining

bany.
Speaker of the Assembly, Hamilton Fish of Potasam.
Republican leader on the floor, J. M. E. O'Grady of Monroe.
This state was made up yesterday after consultation with Senators and the leading powers in the Assembly. It does not look as if it is to be changed.

Fatal Fall Due to a Banana Peel, aidewalk.

Although mortally injured, she was able to walk to the Hudson Street Hospital. Later she was transferred to Bellevue Hospital, where she died yesterday morning.

A Beautiful Matchbox Free To-day

A DAUGHTER BORN TO THE CZAR. Brought Into the World at 10 Celock Las

Evening and Named Olga. LONDON, Nov. 15 .- A despatch to the Central News from Vienna says a telegram received there from St. Petersburg announces that the Czarina was delivered safely of a daughter at 10

o'clock this evening. Despatches from St. Petersburg confirm the report of the birth of a daughter to the Czarine St. Petersburg, Nov. 16, 12:30 A. M. - A bulletin just issued states that the condition of the Czarina and her daughter is entirely satisfac

At the religious services held according to the orthodox Greek rite, immediately after the birth, the baby was named Olga.

48 BRITISH SEAMEN DROWNED. A Steam Launch Upnet in England's Asiatic

LONDON, Nov. 15 .- The Admiralty have re-

ceived information that a steam launch belonging to the British cruiser Edgar was lost near Nagasaki on Nov. 13. All the forty-eight persons in the boat were drowned. The launch was found and taken aboard the Edgar.

A cipher despatch was received late this even ing, giving the details of the accident, and the clerks at the Admiralty were set at once to translating it.

CHRISTIANIA, Nov. 15.-The British steamer Leo, which sailed from Odessa on Oct. 20 for Copenhagen, has foundered off Holmen, Norway. Her mate, engineer, and six seamen were picked up by the British steamer Embleton from Oscarshamn for Oxelosund, and landed at Swinemunde. The remainder of the Leo's crew were lost.

HEISINGPORS, Nov. 15.-The Finnish schoon er Elpis has been wrecked in a hurricane off this port. All aboard her were drowned.

BREMEN, Nov. 15.-The British steamer Sucz Capt. Higgin botham, which sailed from Charles ton on Oct. 24 for this port, while anchored at Bremerhaven to-day, was cut down to the water's edge amidships by the German steamer Condor. The extent of the damage to the Condor, if any, is not known.

SATOLLI'S CRUSHING REBUKE. Administered to Two Priests Who Appealed to Him Against The Bishop,

OMARA, Nov. 15 .- Bishop Bonacum has issued letter to correct alleged misrepresentations touching his relations with Fathers Murphy and Fitzgerald. He says that on Ock 2 the priests were suspended, and they at once appealed to Archbishop Satolli. The appeal was

decided as follows: "REVEREND AND DEAR SIR: Although your letter does not deserve an answer, couched as it is in reprehensible and unbecoming language. which shows that you are utterly devoid of all sense of reverence and respect for your lawful superior, nevertheless for your information I will say that a person who is adjudged contumaclous cannot, according to ecclesiastical law, avail himself of the remedy of an appeal. I am, reverend and dear sir, your devoted servant in Christ, Francis, Archeisnop Satolli, "Delegate Apostolic,"

A PRIEST'S BIG RIDE.

He Travelled 160 Miles on Horseback is WICHITA, Nov. 15 .- Father John Begley,

pioneer priest stationed at Kingman, this State, arrived here last night after having made one of the most wonderful rides on record. Mrs. Quinlan of New York was dying on the ranch of her son in the wilds of the Pan Handle of Texas, and Father Begley was sent for to give her the consolation of religion. The distance was 310 miles. One hundred and sixty miles of this distance was over the wild prairies of west ern Oklahoma, No Man's Land, and northern Texas. Six relays of horses had been arranged for him by the ranchmen along the route from the end of the railroad at Englewood, Kan. He rode the entire 160 miles in 21 hours and 30 minutes, and arrived at the ranch five hours before Mrs. Quinlan became unconscie ate nothing during the trip and took only one

MARRIAGE LICENSES STOP.

The Beath of a Court Clerk in Baltimore BALTIMORE, Nov. 15 .-- A peculiar condition has been produced in this city by the death or Wednesday of John T. Gray, Clerk of the Court of Common Pleas. This court issues marriage licenses, and no license may be issued in Baltimore without the signature of the Clerk of the Court. None was issued yesterday and the same condition will continue until Mr. Gray's

same condition will continue until Mr. Gray's successor is appointed.

Meantime this state of affairs is causing trouble. What was intended to be a big church wedding last night was postponed because the license was not procured before Mr. Gray died. Towson, seven miles away, is now the nearest place to Baltimore where licenses may be obtained, and the little country office is doing a matter burgings.

POLES INVADE BRAND'S HOUSE

He Is Knocked Down with a Cobblestone and His Wife Kicked in the Abdomen John and Mary Brand, when asleep last night

n a rear room on the first floor of their twostory frame house in 180th street, near Amster dam avenue, were awakened by a noise in the front room. When Brand went to see what was the matter he found two strange men. One of them knocked him down with a cobble stone, and the other kicked his wife, who had gone to his assistance, in the abdomen. Two boarders now came to the rescue, and the in-

truders ran away.

Mrs. Brand is seriously injured. Hrand thinks the men were Polish laborers employed on the new speedway.

HE IS TAMSEN'S MAN.

The Man Captured in Belgium Positively Identified as the Post Office Robber.

WASHINGTON, Nov. 15.-The Post office Department authorities have received positive proof of the identity of the l'ost Office robber Russell, captured in Bruges, Belgium. There was at the time he was captured some doubt as to whether he was one of the notorious crimito whether he was one of the hotorious criminals whose sensational escape from Ludlow street fall, New York, caused such excitement, Chief Post Office inspector Wheeler has received a photograph of the man now held at Bruges and says positively that it is Russell. The State Department has been asked to prepare papers looking to his extradition. The others cautured at the time are not thought to be Killoran and Allen, his companions in crime.

BROOKFIELD'S RESIGNATION.

The Mayor Puts Of Accepting It Until the First of Next Month.

Commissioner Brookfield of the Department of Public Works informed the Mayor yesterday that he is counting on spending the winter with Mrs. Brookfield either in the Riviera or in southars. Brookness and that he wants to resign at an early day. The Mayor asked the Commis-sioner to wait until his return from Atlants. Mr. Brookfield consented to this arrangement and said that he would accompany the Mayor on his Southern trip. So here is a good fat place to fill.

To Purify Cincinnati.

CINCINNATI, Nov. 15 .- The preachers of this city will attempt to purify the city. In this they will be assisted by the police. Within the past twenty-four hours more than twenty ar-rests have been made and many women ordered

rests have been made and many women ordered to leave the city.

Of late there have been so many robberies in the Tenderloin district and so many young men have got into trouble that the ministers called on the Chief of Police and asked that evil women be driven out. It is said tonight that orders have been given by the Chief of Police to his officers to arrest every woman keeping a disorderly nouse.

Three Good Things Well Advertised,

## ROBBERS BOARD A TRAIN

PRICE TWO CENTS.

PENNSTLVANIA EXPRESS CAR ROBRED NEAR TRESTON.

The Ontlows Said to Have Got Possession

of Several Express Puckages and Eseaped-A Valu Pursuit by the Pollen. An Adams Express train, in which was

at least four cars on the Pennsylmen about 10 o'clock last night at Morrisville, Pa., across the Delaware River from Trenton, The train left Jersey City at 8 o'clock and left

Trenton at 10 o'clock. Morrisville is a little

Details as to the hold-up were scarce at 1:30 this morning, the hour of writing. It was said, though, that the robbers only go into one car.

It appears that they knew something about the make-up of the train, for it was said that the car they broke into was a money car.

Apparently they encountered no serious obstacle in the trainmen and the messengers. The robbers had time to get out a number of pageages. They then left the train and made off. It was said that no one was killed and that

one of the robbers was caught. The Trenton police were notified and harried

out to catch the robbers.

The offices of the Adams Express Company and of the Pennsylvania Company were alivo with men hurrying out for a similar purpose. The train was No. 95. At a late hour the

Trenton police learned that the four robbers were tramps. They were armed with revolvers and knives.

with which they overpowered the express mes senger.

The scene of the robbery is a lonesome place. about three miles out of Morrisville, Pa. At the Pennsylvania Railroad station in Trenton the employees declare that there was no hold up, but that the trouble was due to a few

DID FIREBUGS START THEM? Suspicious Fires in a West Side Fiat House

and an East Side Tenement.

tramps who were stealing a ride and who were

William F. Buckwitz of 334 Central Park West discovered a fire in the hall of the hou-o about 3 A. M. vesterday. The fire had made little headway and was easily extinguished. An examination revealed that an attempt had been made to fire the house. The carpets and woodwork in the halls on both the first and second the second floor was a woman's stocking which

the second noor was a woman's stocking which had also been soaked in kerosene and had, apparently, been used to start the blaze.

This is the fourth fire which has occurred in the building. The first was about four years ago, when the two lower flats were burned out. A year later fire started in a vacaut flat and last spring a third fire in the hall scorched a deer. door.

What may have been another attempt at incendiarism was discovered in the afternoon in a tenement at 165 Second street, which is occupied by twenty families. Mrs. Donizaiski, the housekeeper, who lives on the first floor, found the floor of the landing above ablaze about 4 o'clock. She aroused the tenants, who brought pails of water and soon had the flames extinguished.

pails of water and soon had the names extinguished.

Oil had evidently been spilled on the landing, and a dozen half-burned matches were found there. Oil had also been spilled on the landing of the third floor.

Foreman Fischer of engine 25, after a visit to the house, declared that, in his opinion, an attempt had been made to fire the tenement.

An investigation of both fires will be made by the Fire Marshal.

WITNESS MERRY ASSAULTED. Two Unknown Men Knock Him Senseless and Escape.

George Merry of 54 Avenue A, Greenville, was held up at 10:45 last night by two well-dressed men at Hooker and Ocean avenues. They tried to provoke him into a quarrel, and when he endeavored to escape one of them struck him on the head with a blackjack or a piece of lead. and knocked him senseless. The men made no attempt to rob him.

Merry is the principal witness against William Leonard and Castellear Ansart, who are in the county jail in Jersey City awaiting trial for burglary. It is alleged that they attempted to break into Merry's house one night early in October. A detective and a policeman discov-Leonard was arrested on Oct. 20, just after be and a companion, said to be Ausart, had attempted to rob the station agent at the Danforth avenue station of the New Jersey Central Railroad. Ansart was arrested in Brooklyn and taken to Jersey City on a requisition on Nov. 7. ered them, and shots were exchange

Nov. 7.
The police believe that the men who attacked Merry hast night are friends of the prisoners, and that they intended to kill him. When Merry recovered consciousness he reported the attack to the police. A general alarm was sent out, but no trace of the men was found.

A HUSBAND POISONED.

The Wife and a Neighbor Arrested Charged with the Crime, BINGHAMTON, Nov. 15. Sillmor Thurston died

at 3 o'clock this morning at his home in the town of Barker, three miles from Whitney's Point, this county. His wife has been arrested on a warrant charging her with murder in the first degree, and George Hale, a neighbor, with whom she is alleged to have been criminally intimate, is also in custody. Thurston was taken
suddenly ill on Sunday night, and Dr. Dillotson, who was summoned found that there had
been foul play, the condition of the man making
it apparent that he had been poisoned. Every
effort was made to save him, and he lingered
until this morning, when he passed away. Coroner Seymour impanelled a jury, and at 11
o'clock this morning drove to the scene of the
tragedy, where an inquest was begun.

Mr. Thurston was 40 years old, and his wife
is about the same age. The couple had no children and had not lived happily together. On
Oct. 30, Mrs. Thurston purchased some laris
green, and last Saturday she purchased some
strychnine. She said that the poison was
wanted to kill rats. It is supposed that the
poison was administered in food to Mr. Thurston. whom she is alleged to have been criminally in-

Congressman Berry Had a Black Buttle. CINCINNATI, Nov. 15, Congressinan Berry will not make the opening speech at Atlanta on Kentucky Day, as was agreed upon some time ago by the ladies who had charge of the proago by the ladies who had charge of the pris-gramme. About the time he was preparing to leave for Atlanta he received a note from one of the lady managers saying that he was not de-sired at Atlanta because it had been discovered that at the Louisville Convention some weeks ago that he had drunk from a "black bottle" while on the platform. The ladies declared that they wanted no one to speak for them who would in-dulge in whiskey so publicly as he did.

More Grace Allowed Street Stands. The extension of time given by the police to owners of street stands which occupy the sidewalk in violation of the city ordinances expired vesterday, but it is not likely that any

harsh measures will be used for the present to do away with them. Acting Chief Coulin said that bootblacks who were looking for quarters to move into would receive a few days' grace. It is expected by the bootblacks that the Legis-lature will take some action so that they can get permits to have stands in the streets, provide ed they do not interfere with sidewalk tradic.

The Village of West Carthage Barned, WATERTOWN, Nov. 15. A fire at West Car-

thage last night destroyed the entire business section of the village except one vacant store, section of the vinage extent one value and the street was discovered at midulant under good headway. Nothing was saved from the buildings burned. The village has no fire department, and Cartlage, perosa the river, was called on for help, that fire Department's was called on for help that fire Department's was called on the place. The losses aggregate \$38,000, insurance \$10,000.

Was This Raft Launched from a Wresk ! CAPE MAY, N. J., Nov. 15 -A raft ten by thirty feet, apparently hastily made of old g a disorderly house.

planks and fastened with ropes, was washed ashere near this city by the heavy sea last night. It looks as though it had been constructed in the emergency of a shipwreck.

# RAPID TRANSIT ACT FLAWS

sioners, the Mayor of this city and the Comptroller, are elected by the people, the President of the Chamber of Commerce of the State of New York, who is a member of the Board of Rapid Transit Commissioners ex-officio, is neither elected by the people nor appointed. The President of the Chamber of Commerce is elected not by the people, but by the votes of the members of the Chamber, and his tenure of the office of Rapid Transit Commissioner is, therefore, unconstitutional. Objections Presented by Franklin Bartlett therefore, unconstitutional.

"Moreover, the provision in the first section of the fourth chapter of the Lawz of 1891, that vacancies in the effices shall be filled by a majority vote of the remaining members of the Board, is clearly unconstitutional. Such an election is not an election by the people, but it is an election which may be made by only three gentlemen.

Presiding Justice Van Brunt stated that an

order could be made reserving all the rights of

the objectors, involved in the constitutional

objections, until the coming in of the report of

the Commissioners to be appointed, and that

such order should be served upon the counsel

J. J. ASTOR AND THE KEELY MOTOR.

He Saw It Mote, Wasn't Told How It Worked, and Didn't Javest.

The facts about the visit made about two week

ago to J. E. W. Keely's motor workshop in Phil-

adelphia by John Jacob Astor and a party of New York capitalists, have been leaking out

ever since the publication of the story that Mr.

Astor and his associates were negotiating

for Mrs. Bloomfield Moore's interest in the

mysterious invention. Since that announce-

sales of Keely motor stock at prices higher than have been quoted before in a

long time. Transfers of this stock have been

infrequent for years and quotations on the

shares have been rarely made. On Thursday

150 shares were sold at 4, and yesterday 100

shares brought 0. Mr. Keely's proposed plan of reorganizing the company by increasing its

standing that the completed motor was now on view.

The visitors were permitted to see the motor in operation, but no exposition of its workings sufficient for basing any offers upon was vouch-safed. They were informed by Mr. Keely that the motor was not quite completed yet, but that he expected that it soon would be. They expressed their admiration of Mr. Keely's machine, took their hats, and returned to New York. Some amusement has been expressed at their expense in view of the subsequent developments, and Mr. Astor and his friends have felt no little chagrin at the turn affairs have taken in consequence of their unproductive visit. It can be asserted with positiveness that up to last night Mr. Astor had not acquired a single share in the Keely Motor Company.

MARJORY BONNER'S DEATH.

Due to an Overdose of Morphine, to Whose

Use the ex-Actress Was Addleted.

Catherine F. Goodwin, whose stage name was

Marjory Bonner, died some time Thursday night

in her room on the top floor of the boarding house

at 253 West Thirty-seventh street. Early in

lady, and said she was going to move away in

the morning. When the servant went to call

her yesterday she found Miss Goodwin dead on

the floor. A quantity of morphine in bulk and

in pills was found in her room, and Coroner's

Physician O'Hanlon decided, after a superficial

who had appeared.

election is not an election by the people, but it is an election which may be made by only three gentlemen.

"The last and most serious constitutional objection is found in that provision of the law of 1894 which attempts to delegate the legistative power of the State and to escape from that reponsibility which the Constitution has imposed in conferring the power to make laws.

"It is true that the Legislature can delegate the power to make local regulations, and that such power to make local regulations, and that such power is generally conferred by charters or by special or local acts, but in this instance provision was made for a referendum to the people in what they call a general law.

"Provision was made in the twelfth section of the act of 1894 for a vote by the qualified electors of the city by ballots reading. For municipal construction of rapid transit road or "Against municipal construction of rapid transit road," and yet in the fourteenth section of the same act, not only the building of the road, but also the sale of the franchise, is made dependent upon the determination by the people of the question set forth in the ballots. So that, while the people were allowed to vote only on the question of municipal construction of the rapid transit road, their votes on that question determined, not only the question of the building of the road but a distinct question upon which they never voted, the sale of the franchise.

"And while the power to incur debt or to sub-About half-past 11 o'clock yesterday morning

ton, and some others.

Congressman Bartlett then stated that he desired to be heard in behalf of certain prop-

a indebtedness to far beyond the constitution-limitation:
Third—I claim that the rapid transit acts oblate another provision of the same section of Article VIII., that is, the provision found the old Constitution and retained in the ew Constitution, that no county or city

Physician O'Hanlon decided, after a superficial examination, that the woman died of an overdose of that drug, which she had been in the habit of using.

Mrs. Richard Smith, a sister of the dead woman, who lives at 70 West Thirty-seventh street, said she did not believe that Miss Goodwin had committed suicide, as she had no known cause for unhappiness. Miss Goodwin left the stage three years ago and became a dressmaker. In her room was found a letter signed George Cumming, in which the writer asked the dead woman to meet him Thursday night at Thirty-seventh street and Eighth avenue. The letter was dated Nov. 14, and the envelope was stamped Algonquin Club, Brooklyn, Miss Goodwin was 22 seemed.

### CITY WAS DARK IN SPOTS.

ing the Engines with the Dynamos,

will be in service to-night as usual.

basement. It was just after 7 o'clock when there was a

stories after the first rush of it, and the men soon saw that there was no danger.

It was about half an hour before the steam in the engine room had condensed so that the men could get in there to find out what had broken and what damage had been done. When they did make an examination they found that an elbow in the big steam main had blown out. The main makes a double turn after passing through the wall that divides the boller room from the engine room. The first elbow had given way. The engines were running at 100 pounds pressure, and the force with which the broken elbow struck was so great that it smashed through the iron floor.

It was an easy matter to repair the broken main, and if that had been the only damage every Brush circuit would have been served last night. But the hot, dry steam had rulued every belt in the engine room. Twenty-five dollars would put in a new elbow, but it took more than \$3,000 to replace the belts. The belts range from eight to forty-four inches in width, the widest being half an inch thick. They were all of leather, and the hot steam had burned them so that they looked like green wood that had been in a fire only long enough to be charred on the outside. New beits are kept in stock for emergencies, and while one set of men were putting a new elbow into the main another set went to work replacing the belts.

It is a tremendous tack to place a 44-inch belt. The enfla are bevelted for stout two toet and glued together. Heavy presses are clamped on while the cement sets, and then the joint is planed smooth. Long before the first of the big tests was replaced the break in the main had been repaired. The old belts were as badly used up as if they had been in a hot fire, but it would have taken a fire much longer to do the damage than it did the steam. By 7 o'clock yesterday evening two of the big belts—there were six of them—had been replaced, and soon afterward the circuits supplied by the dynamos these belts run were started up. Nearly one-half of the Brush Company's service is f

Forty-second,
Canal.
New Howery,
Pearl,
Suith William,
Francia,
Fr

State. University place, Whitehall, White, Second avenue.

now being printed advertisements calling for proposals for supplying the city departments with their necessary blank books, printed and lithographed forms, and various articles of stationery for the year 1896. These contracts are of considerable magnitude, involving an aggregate expenditure of nearly \$100,000. Full and fair competition is assured by the Board of City Record, which is composed of the Mayor, the Counsel to the Corporation, and the Commissioner of Public Works. Specifications can be found at the office of the Commissioner of Public Works, and also at the office of the Supervisor of the City Record, 2 City Hall, from whom full information in reference to the contracts, samples, &c., can be obtained. - Adv.

The Hon, William Collins Whitney spoke last

ney will not accept the candidacy under any consideration, and he is determined on this point."

place for the Convention.

"There is nothing in that," replied Mr. Whit-

Lawyer Brooke, senior counsel for David F. He Acknowledges He Used the Privilege Extensively, but It Was to Do Good.

> Mr. Johnson said that there were no farmers among his constituents and he had no use for

#### New Jersey bridge. Yesterday the Mayor had the members of the Sinking Fund Commission

Great Britain.

The second joint resolution, which is being

Here is the slate for Legislative officers at Albany this winter: President pro tem. of the Senate, Timothy E. Ellsworth of Ningara county. Clerk. John S. Kenyon of Onondaga. Sergeant-at-Arms, Garrett J. Benson of Al-

Mrs. Bridget Murphy of 287 Front street slipped on a banana peel at Roosevelt and Front or a trance, or nothing enoing in co at all, can sign the petition. It is to be circulated all over the city, and a committee of Gazoos will present it to the Legislature. Petitition headquarters are to be opened at once in the building at 25 and 27 Third avenue. Incidentally the Gazoos announce in a circular that they are in New York politics to stay. streets two weeks ago, and fell violently to the

At Marshall's Cigar Store, 29 Cortlandt st., corner Church, with every purchase of 50 cents of more.-